

Yeas—6.	
Atlee.	Ross.
Johnson.	Terrell.
Kerr.	Yantis.
Nays—9.	
Burns.	Patterson.
Grinnan.	Sebastian.
Hanger.	Stafford.
Lloyd.	Yett.
McGee.	
Absent.	
Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Odell.
Greer.	Potter.
James.	Stone.
Lewis.	Turney.
Linn.	Wayland.

Senator Yantis then moved to adjourn to 3 p. m. Wednesday.

Senator Patterson moved to adjourn to 5:30 a. m. Thursday.

Senator Sebastian moved to adjourn to 9:45 a. m. tomorrow.

The motion to adjourn to 5:30 a. m. was lost.

The Senate then adjourned to 3 p. m. Wednesday, by the following vote:

Yeas—7.	
Atlee.	Terrell.
Johnson.	Yantis.
Kerr.	Yett.
Ross.	
Nays—6.	
Burns.	Lloyd.
Grinnan.	Patterson.
Hanger.	Sebastian.
Absent.	
Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Odell.
Greer.	Potter.
James.	Stone.
Lewis.	Turney.
Linn.	Wayland.

SIXTIETH DAY.

Senate Chamber,
Austin, Texas, Wednesday, April 5, 1899.

Senate met pursuant to adjournment.
President Pro Tem. Stafford in the chair.

Roll called. No quorum, the following Senators answering to their names:

Atlee.	Goss.
Burns.	Greer.
Dibrell.	Grinnan.

James.	Sebastian.
Johnson.	Stafford.
Kerr.	Stone.
Lloyd.	Turney.
Miller.	Wayland.
Morriss.	Yett.

Absent.

Davidson.	Odell.
Gough.	Patterson.
Hanger.	Potter.
Lewis.	Ross.
Linn.	Terrell.
McGee.	Yantis.
Neal.	

Senator Greer moved that the Sergeant-at-Arms be instructed to telegraph the absentees to return, and be in attendance upon the sessions of the Senate, at once.
So ordered.

On motion of Senator Atlee, the Senate adjourned until 10 a. m. tomorrow.

SIXTY-FIRST DAY.

Senate Chamber,
Austin, Texas, Thursday, April 6, 1899.

Senate met pursuant to adjournment.
President Pro Tem. Stafford in the chair.

Roll called. No quorum, the following Senators answering to their names:

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Patterson.
Greer.	Ross.
Grinnan.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yett.

Absent.

Davidson.	Neal.
Goss.	Odell.
Gough.	Potter.
Hanger.	Terrell.
Lewis.	Yantis.
McGee.	

Senator Miller moved a call of the Senate for the purpose of securing a quorum, which was duly seconded and ordered, the following Senators answering to their names:

Atlee.	Linn.
Burns.	Lloyd.
Dibrell.	Miller.
Greer.	Morriss.
Grinnan.	Patterson.
James.	Ross.
Johnson.	Sebastian.
Kerr.	Stafford.

Stone.	Wayland.
Turney.	Yett.
	Absent.
Davidson.	Neal.
Goss.	Odell.
Gough.	Potter.
Hanger.	Terrell.
Lewis.	Yantis.
McGee.	

No quorum.

Senator Odell was announced.

Quorum announced present.

Prayer by the Chaplain, Rev. Dr. Den-son.

Pending the reading of the Journals of Friday last, Monday and yesterday,

On motion of Senator Ross, the same was dispensed with.

EXCUSED.

On motion of Senator Linn, Senator Dibrell was excused for non-attendance on Monday and Tuesday last, on account of important business.

On motion of Senator Dibrell, Senator Linn was excused for non-attendance on Monday, Tuesday and Wednesday last, on account of important business.

On motion of Senator Grinnan, Senators Miller, Stone and Neal were excused for non-attendance on Monday, Tuesday and Wednesday of this week, on account of official business.

On motion of Senator Lloyd, Senator Morriss was excused for non-attendance on Monday last, on account of important business.

On motion of Senator Grinnan, Senators James and Greer were excused for non-attendance on Monday and Tuesday last, on account of important business.

On motion of Senator Linn, Senator Turney was excused for non-attendance on Monday and Tuesday last, on account of important business.

PETITIONS AND MEMORIALS.

By Senator Patterson:

To the Hon. Senate and House of Representatives, State of Texas.

GENTLEMEN: We, the undersigned, a committee appointed by Bivouac U. C. Veterans of Precinct No. 5, Bell County, Camp No. 122, appointed April 1, 1899, for the purpose of calling the attention of your Honorable body that, in view of the voluntary request and widely known unfulfilled promise of the Representatives of the State of Texas, in their Legislature assembled in 1866, to the people of Louisiana for the remains of the great hero and soldier of the Confederate army, Gen. Albert Sidney Johnston, to be rein-

tered at the city of Austin, Texas, and by so granting this request that there should be a most suitable monument erected to his name and memory by the people of Texas, his resident State. And in view of the fact that this voluntary pledge remains today unfulfilled, and has so remained for over thirty years; and from the fact that the people of Louisiana are demanding a fulfillment of that promise or a return to New Orleans of his sacred dust, and as it is the deep, heartfelt desire of all the Confederate veterans of Temple and Bell county, in camp assembled, we do most earnestly and sincerely entreat and pray your Honorable body to take such early action in the matter that will insure a confidence in the people of Texas, as well as the people of Louisiana, of a faithful compliance of that promise in the near future, and in the true letter and spirit in which it was made.

And we do most respectfully pray your Honorable body to visit the State Cemetery while at Austin, that you may more thoroughly know the present deplorable condition of the same wherein rest the sacred ashes of so many of our great and heroic dead.

Most respectfully submitted,

J. M. WILLIS,

S. A. B. HART,

W. D. SHAW.

Committee.

Read, and referred to the Committee on State Affairs.

By Senator Patterson:

Petition from citizens of Bosque, Hill and Johnson counties, praying for legislative enactment for the relief of New-man McGee.

Read, and referred to the Committee on Constitutional Amendments.

By Senator Grinnan (at request of Senator Stafford):

Petition of a number of democratic voters of Troupe, Texas, asking their Senator and Representative to support the joint resolution making the payment of poll tax a qualification to vote.

Read, and referred to the Committee on Constitutional Amendments.

By Senator Greer:

Memorial of citizens of San Augustine county, praying for the passage of House bill No. 571 over the Governor's veto.

Read, and on motion of Senator Greer, ordered printed in full in the Journal, to-wit:

To the Hon. Senate and the House of Representatives of Texas.

Resolved, That we, the citizens of San Augustine county, have read with regret

and dismay the message of the Governor vetoing House bill No. 571, providing for the consolidation of the G., B. & G. N. Railway Company with the G., B. & K. C. Railway Company, and for the regulation of the issuance of the bonds of said railroad companies.

That while we do not impugn the purity of the motive that prompted the veto, and while we entertain the highest regard for the sterling worth and attainments of Governor Sayers, yet we who are most vitally affected by the provisions of said bill, differ with him in his views thereon, and believe that his veto was the result of a too limited acquaintance with the conditions prevailing in this section of the State.

The people of our community have suffered for years from the lack of railroad facilities. Sad experiences has taught us the vast advantages of that great modern civilizer. In the days of old, before the advent of railroads, the natural advantages of soil and climate and sterling citizenship enjoyed by San Augustine, made her easily "Queen of East Texas."

Since the coming of railroads, we have but to look around us at our neighbors less favored by nature than we, but touching the world with bands of steel, and compare their progress and prosperity to the ruin and retrogression that marks our fate.

We have seen our little city of San Augustine, the home of the Texans great, dwindle from a prosperous population of 3000 to a forlorn handful of 300. We look almost with despair upon the ruin and decay around us. The silent homes of Henderson and Houston, of Rusk, and Ochiltree and Roberts but serve to remind us that it is indeed a "deserted village," existing in the dreamy memories of the past. Our people are not less energetic, not less intelligent, and our soil is not less fertile now than of old. But we are far removed from the markets of the world, and the fertility of our soil avail us little. For long years we have hoped for a railroad, and now, just as we are reveling in a bona fide prospect of success, and at a time when the engineer's corps having run its preliminary survey was within a few miles of our county site with its permanent location, and when the bill that promised so much for San Augustine and its adjoining counties, had passed almost unanimously both houses; now when we can almost grasp success, comes a crushing blow from the hands of the Governor in the shape of a veto.

We are disposed to cry out "Great God protect us from our friends." The engineer corps has been recalled, and we

are doomed to haul our products forty to fifty miles over miserable roads for the next half century, as we have during the past one, and derive what consolation we may from the political views entertained by some of our politicians as to how to build railroads.

We know the provisions of House bill No. 571. We have counted the cost and estimated the benefits to be derived from its passage. We know that its provisions are not half so onerous upon us who must necessarily bear the burden, as were those of every railroad built in Texas under old charters. We know that the amount of bonds to be issued under House bill No. 571 could not well approximate the bond issue of the Texas & Pacific Railroad, or the I. & G. N., or the Southern Pacific, or the M., K. & T., or any other standard road of Texas. Yet we do not believe there is a community in Texas or a county through which one of these roads runs, that would willingly forego the advantages derived from it for the sake of being relieved of the burdens (?) imposed by the railroad.

We know the master spirit of the Gulf, Beaumont & Kansas City Railroad Company. He is not a bunco-steerer for Wall street bankers, nor the hireling of a syndicate. He was born and reared in the pine forests of East Texas. He is one of us, and enjoys the confidence and respect of our people.

By his energy, perseverance and sagacity he has become a potent factor in the development of his native section of the State, and is now prepared to secure to this community the advantages of a railroad. He has candidly explained his methods and the price. We are willing and anxious to acquiesce in his plans, and pay the price, and we don't believe that the road can or will be built unless House bill No. 571 becomes a law.

When a man is naked and clothing is scarce, he will necessarily pay a high price for a suit; when he is starving and bread is scarce prudence demands that he pay the price necessary in order to preserve the life God gave him. When a community sees its prosperity flown, its houses empty, its fields untilled, its forests decaying, its citizenship retrograding in all the essential features of civilization and progress, it is ready and willing to pay an adequate price to remedy the evil. The burdens to be imposed by the provisions of House bill No. 571 will naturally fall upon the people of the country which the railroad proposes to traverse, because they will furnish the freight and pay the charges.

It thus seems to us that their welfare and wishes and interest should be heeded

to a very large degree in the matter of a bill of such purely local application, and certainly the unanimous passage of the bill by the House correctly reflected the sentiment of this county, and we believe of this section of Texas.

In all the world the law of supply and demand has been held a legitimate basis for making bargains. The supply of railroads, or reliable prospects of them, is not large in this community, and we beg to be permitted to make a bargain for one.

In the name of justice, we, the people who will necessarily bear the largest proportion of the burdens (?) imposed by House bill No. 571, earnestly ask you to loosen the shackles that bind us. Pass House bill No. 571 as it now stands, and let us have an opportunity to vie in progress with you, our more fortunate neighbors, who are already burdened (?) with railroads.

We cannot think that Governor Sayers will strenuously oppose this bill or feel mortified over its passage, when he clearly understands that the almost universal sentiment of the citizens most deeply interested are in favor of the bill.

The above resolutions and arguments are respectfully submitted to the Honorable House of Representatives, and to the Honorable Senate of the State of Texas for such consideration as they deem worthy to accord them.

W. J. Garrett, County Clerk: A. P. Sassaman, John Thomson, B. C. Broocks, J. W. Phillips, A. E. Davis, F. M. Stephenson, C. C. Johnson, J. E. Floyd, W. H. Crouch, R. L. Kennedy, E. J. Carroll, J. F. Floyd, J. N. Carroll, Lou Price, Jack Moore, Leo Beirhalter, R. A. Nash, B. N. Tucker, B. F. Dickerson, A. S. Roberts, Bill Teel, John Lynch, F. R. Tucker, Cob Hinton, J. E. Harrison, John Lynch, Jr., M. T. Davis, J. D. Loggins, B. T. Roberts, N. Woddail, E. E. Smith, W. A. Field, Brunn Wall, L. Wall, A. S. Kirby, Rufus Price, C. O. Sassaman, C. R. Lynch, A. P. Sassaman, Jr., J. E. Crouch, E. T. Harrison, Raleigh Love, E. Muckeby, Willie Wilkinson, Frank Dixon, Paul Preuett, I. H. Hollis, Lee Phillips, L. Sharp, W. G. Sharp, E. A. Blount, Jas. C. Anderson, Geo. C. Berry, A. Phillips, Aaron Dixon, Henderson Berry, John Blount, Charlie Sassaman, Emmet Lynch, H. W. Sublett, P. W. Sublett, Casset Hanks, R. R. Price, Ed. Price, W. A. Horton, Lee M. Wilkinson, Wm. Singleton, P. G. Omohundro, C. R. David, Jim Smith, J. T. Horn, Austin Holman, John Dean, Henry Smith, A. Tynan, J. J. Hall, Jr., J. W. Watts, James Watts, Paul Sheffield, H. J. Williamson, J. T. Caldwell, Dan Cartwright, Will Berry,

Jno. Martin, Thos. Baggett, Ben Richey, C. K. Bowen, W. E. Thomas, Jeff Baggett, J. J. Bland, James Johnson, J. A. Smith, C. C. Smith, M. R. Smith, P. Smith, Jerry Mills, J. W. Neal, L. H. Knight, Lum Couch, Deedy Martin, Spear Crouch, J. W. Archer, R. L. Watts, Jno. W. Vineyard, W. J. Carroll, G. M. Smith, M. D., C. Cartwright, A. H. Cartwright, J. M. Cartwright, T. W. Blount, Big Foot Sharp, Jr.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 5, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 242, being a bill to be entitled "An Act to provide for the payment of fees of district clerks in tax suits where suits were dismissed by the State, and to make an appropriation therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DIBRELL, Chairman.

Committee Room,

Austin, Texas, April 5, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 289, being a bill to be entitled "An Act to incorporate kindergarten education in the public free school system of the State of Texas, and to provide for its support,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DIBRELL, Chairman.

Committee Room,

Austin, Texas, April 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 278, being a bill to be entitled "An Act for the better preservation of all the personal property belonging to the State of Texas, or in which it has any interest; or of any of the departments, or of any of the institutions, asylums, schools, penitentiaries, farms, or personal property of whatsoever description or wherever situated, belonging to this State, or in which it has an in-

terest; and to provide for the making of lists and inventories of all of said property, and the copying of the same and the registration thereof; and to prescribe the duties of officers and persons having said property under their control; and to fix the liability of such officers and persons; and to provide a penalty for the failure to comply with this act, and to fix the venue for suits and prosecutions for a violation of any of its provisions."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

GOUGH, Chairman.

Committee Room,
Austin, Texas, April 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 301, being a bill to be entitled "An Act to authorize the Secretary of State to exchange some of the volumes of the Texas Reports from Dallam to 57th, inclusive, now in his possession as the Secretary of State, for other volumes, and to purchase other volumes to make continuous sets of same, and to authorize the sale of same, and make an appropriation therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

GOUGH, Chairman.

Committee Room,
Austin, Texas, April 3, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 285, being a bill to be entitled "An Act fixing the fees to be charged by the Commissioner of the General Land Office when his depositions as such commissioner are taken,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, April 3, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate Substitute bill No. 195, being a bill to be entitled "An Act to grant relief to certain teachers who taught during the school year of 1895-96, in Greer

county, which was then considered a portion of the State of Texas, said services as teachers terminating with the date of the decision of the Supreme Court of the United States transferring the county of Greer from the State of Texas to the Territory of Oklahoma,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, April 3, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 305, being a bill to be entitled "An Act to transfer San Augustine county from the community to the district school system,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, April 3, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 254, being a bill to be entitled "An Act to amend Article 4218q, of Chapter 12a, of Title LXXXVII, of the Revised Civil Statutes of the State of Texas of 1895, relating to the sale of timber lands,"

And find the same correctly engrossed.
JAMES, Chairman.

SPECIAL COMMITTEE REPORT.

MR. PRESIDENT: The undersigned members from the Senate of a joint committee which recently visited the Southwestern Insane Asylum at San Antonio, and having made a report on the condition of the buildings there, stated in such report, in substance, that we believed the State had been badly treated by some person or persons, whom we believed to be either the architects, constructors or other persons charged by law with the construction of the old or first buildings erected at that place, because the old buildings were now in a very bad condition, such condition, in fact, that we thought them unsafe, and we urged an appropriation of \$10,000 (ten thousand dollars), to be made at once available, for the underpinning and rodding of these buildings to protect the inmates from being crushed, if these structures should fall, which we believed them liable to do at any time. Since this commit-

tee's report we have been visited by Mr. Watson, an architect of this city, who has exhibited to us documentary evidence of his having been one of the firm of architects that submitted the plans, to the building committee, which were adopted by them, and which plans, we are satisfied from written and verbal testimony hereto attached (the written part and submitted for your examination), were changed without Mr. Watson's consent, and after such changes were made we are assured that he withdrew from the business transactions altogether, and protested against such changes, and is in no manner a subject to any of the criticisms of this committee in its report heretofore made to this Senate, and it affords us genuine pleasure to thus publicly exonerate Mr. Watson from any blame at all in the matter of the construction of these buildings, and we feel that we are due him as much publicity in exonerating him as in casting upon him a suspicion in our first report, and we therefore ask that this "personal privileged" report be printed in the Journal.

JOHNSON,
MORRISS.

Committee on part of the Senate.

At request of Senator Johnson, the testimony attached to the above report was ordered printed in the Journal, to-wit:

A. O. WATSON,

ARCHITECT AND SUPERINTENDENT,
Successor to Larmour & Watson,
Corner East Sixth and Brazos Sts.,
Opp. Driskill Hotel.

Austin, Texas, March 6, 1899.

Hon. A. Y. Walton, Member from Bexar county, House of Representatives.

DEAR SIR: In compliance with your note of March 1st, I called and had the pleasure of meeting you at the House of Representatives, and upon your suggestion given me when I saw you, I have secured such information as I deem proper to submit to you in reference to the Southwestern Insane Asylum contracts, and work on the original buildings of said institution. I could not find the contract, in the Executive office or Secretary of State's office, so cannot inform you upon the contents thereof.

I called to see Hon. W. B. Wortham, Hon. J. D. McCall and Gov. J. S. Hogg, members of the board that received the work from the contractors, and herewith hand you their statement which will fully explain their standing. I also hand you copy of proposals for erection of the

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Southwestern Insane Asylum buildings by Messrs. Watterston, Wattinger & Co., as submitted on plans, details and specifications prepared by Larmour & Watson, and also their bid submitted on modifications of said plan, which will show you the extent of alteration of construction of said building to reduce price. I also hand you copy of changes which were made in the plans and specifications as originally prepared by said firm of architects. You will note, however, that in one proposition there were sixteen changes to be made in administration and ward buildings, and under proposition number two there were thirteen changes to be made. A copy of proposals on April 22, 1890, also April 28, 1890, for erection of said buildings with and without modifications, also items submitted to contractors for changes in said plans, details and specifications were secured from papers on file in the Executive's office, and your committee can verify them by comparison with originals if they desire to do so.

I was interested in and retained by the State of Texas to prepare plans, details and specifications for the Southwestern Insane Asylum; said plans, details and specifications were prepared, and proposals invited from contractors on said plans without modifications, on April 22, 1890. I was advised by Governor Ross that the appropriation should include out buildings, stable, etc., so that the institution could be operated, and to accomplish the object and intention of the act of the Legislature, modifications would have to be made in said plans. I protested and urged that plans should not be changed, and suggested that it would be the best policy for the State to build well, and complete such buildings as could be built within the appropriation, and not alter or change the plans, as such would be dangerous and I could not approve of it.

On April 28, 1890, bids were received upon modifications, a copy of which is hereto attached, and after such changes or modifications were made I retired from any connection with or supervision of the work, or consultation with said board, and have not been called upon by any member, individually or by the board, for consultation or information or any service whatsoever connected with said work, or supervision of the buildings at San Antonio.

The State of Texas, through said board, employed Col. Jacob Larmour, my former associate, who retired from the office and resided in San Antonio continuously during the construction of said

buildings. I do not desire to shirk any responsibility, but I sincerely hope you will do me the justice of laying the data herewith handed you before your committee for consideration, and if they decide that I was responsible for the condition of the buildings or work on the said buildings during the erection, they to so state in their report to the Legislature, and if the evidence herewith handed you does not justify such finding, I ask that your committee exonerate me from any responsibility or censure on account of the conditions of said work; I ask this in justice to myself, inasmuch as I have been censured and the report of your visiting committee reflects upon me and will be used by my competitors to my detriment, as they have and will continue to urge that I was responsible for the work. I used what I considered fair and just means of protecting myself in urging that the plans as prepared by my associate and myself should not be changed, and by retiring from any connection with the work after having prepared said plans, details and specifications. I cannot see why I should be held responsible or censured from the fact that I did not have any control, supervision and authority or connection with the work after the plans, details and specifications were prepared, and I am compelled to appeal to you for a decision, and ask you to carefully consider the facts and give me the benefit of your opinion.

Respectfully submitted,
A. O. WATSON,

Dictated—A. O. W.

(Copy.)

FIRST NATIONAL BANK OF AUSTIN, TEXAS.
Austin, Texas, March 6, 1899.

Hon. A. Y. Watson, Austin, Texas.

DEAR SIR: Referring to the matter of the Southwestern Asylum at San Antonio I have to say I was, as State Treasurer, a member of the Board which accepted the building and had occasion to confer with the supervising architect, Mr. J. Larmour of the firm of Larmour & Watson, and my recollection is that Mr. Larmour had exclusive control of that work. The Board had several conferences with Mr. Larmour and none with Mr. Watson, and I feel justified in saying it would be doing Mr. Watson a grave injustice to hold him responsible for any error or mistake in connection with the building in question.

Mr. Watson is an honorable gentleman and an experienced architect, and

any representation made by him can be relied upon.

Very respectfully yours,
W. B. WORTHAM,
Late State Treasurer.

(Copy.)

THE WATER WORKS, ELECTRIC LIGHT AND
POWER PLANT OF THE CITY OF AUSTIN.

Austin, Texas, March 6, 1899.

Capt. A. O. Watson,

DEAR SIR: In reply to your inquiry I have the honor to state. That as a member of the board for building the Southwestern Insane Asylum I did not come in contact with you. Mr. Larmour personally advised us, and my understanding was, that he personally supervised and stayed at the building most of the time during the erection of the building—have no knowledge of your having had anything to do with the building.

Very truly,
JNO. D. MCCALL.

(Copy.)

HOGG & ROBERTSON,
ATTORNEYS AT LAW,
Austin, Texas.

Austin, Texas, March 6, 1899.

Mr. Watson, City.

DEAR SIR: I concur with Messrs. W. B. Wortham and Jno. D. McCall in the statement that Mr. Larmour was in charge of the Southwestern Insane Asylum, as supervising architect, when it was accepted by the State. My understanding then, as it is now, was that your connection with that institution was merely nominal—as the partner of Mr. Larmour. If you had anything to do with it further than that, I had no information of it.

Very respectfully,
Dic. J. S. Hogg.

(Copy.)

Austin, Texas, April 22, 1890.

*To Governor L. S. Ross, and Gentlemen
of the Asylum Board.*

We, the undersigned, propose to furnish all labor, material and transportation, etc., and execute all work required according to plans, details and specifications prepared by Messrs. Larmour & Watson, of Austin, Texas, Architects, as follows: Included under general work and inside blinds.

Administration building, seventy-one thousand, six hundred and twenty-three dollars (\$71,623.00).

Ward buildings, east and west, ninety-

six thousand, three hundred and ninety dollars (\$96,390.00).

Boiler house and apartment building, thirty-four thousand, two hundred and seventy-seven dollars (\$34,277.00).

Inside blinds, three thousand, eight hundred and ninety dollars (\$3,890.00).

Complete, all above items, two hundred and six thousand, one hundred and eighty dollars (\$206,180.00).

Respectfully yours,
WATTERSTON, WATTINGER & Co.

(Copy.)

Austin, Texas, April 28, 1890.

Governor L. S. Ross, and Gentlemen of
the Asylum Board.

We, the undersigned, propose to build and complete administration building, east and west wards, for Southwestern Lunatic Asylum, according to altered drawings and specifications, prepared by Larmour & Watson, Architects, Austin, Texas.

Proposition No. 1. One hundred and forty-three thousand, four hundred and forty dollars (\$143,440.00).

Proposition No. 2. One hundred and forty-four thousand and eight hundred dollars (\$144,800.00).

Respectfully yours,
WATTERSTON, WATTINGER & Co.

Estimate of architects' estimate on file in Executive office, made by Larmour & Watson, and delivered together with plans and details and specifications:

Cost of Administration building	\$ 72,161 00
Ward buildings, each	49,051 95
Boiler house	34,048 70

Total cost of Administration building, east and west ward buildings, and boiler house	\$204,313 60
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(Copy.)

Administration and ward buildings, cuts made in specifications and plans to reduce cost:

No. 1. Reduce ceilings in wards to 12'-0" in clear.

No. 2. Reduce first story Administration building to 13'-0" in clear, and second, and third, and fourth story to 12'-0" in clear.

No. 3. Reduce second and third story wards outside walls to 13" thick.

No. 4. Reduce third and fourth story Administration building outside walls to 13" thick.

No. 5. Omit all stone sills and cap beltings on wards and Administration buildings except in front, and use sills and caps only on ends and rear.

No. 6. Omit corrugated iron sills, galvanized iron cornice (inside) and iron centers and arch over wood centers and plaster on arches in wards and on level lath work in Administration.

No. 7. Omit concrete floor in corridor and all rooms excavated.

No. 8. Set and space all "I" beams through each building 5'-0" centers.

No. 9. Coping and ornamental to pediments, to galvanized iron.

No. 10. Reduce all windows and doors in proportion to reduction in height of ceilings.

No. 11. Glaze sash (window) with single strength clear American glass.

No. 12. Omit wainscoating except in hall and corridors.

No. 13. Build stone steps of select limestone.

No. 14. Cornice belting in tower to be galvanized iron.

No. 15. Corridors connecting buildings to have walls 13" instead of 17".

No. 16. Omit portico and leave one set of steps to entrance.

(Copy No. 2.)

Administration building and ward buildings.

1. Omit fourth story of Administration building, leaving the building three stories high.

2. Reduce first story to 13'-0". Second and third story to 12'-0".

3. Reduce first, and second, and third stories, each ward to 12'-0".

4. Reduce all windows and doors, each building, in proportion to reduction in height of ceilings.

5. Omit granite steps and use hard limestone.

6. Galvanized iron coping on all pediments, wards and Administration buildings instead of stone.

7. Omit sills and cap belt except on fronts and use sills and caps only on ends and rear.

8. Reduce second and third stories outside walls wards to 13" instead of 17".

9. Reduce third story outside walls Administration building to 13" from 17".

10. Connecting corridors outside walls to be 13" instead of 17".

11. Omit corrugated inside flat ceilings and iron centers, turn brick on wood centers, plaster on level lath work.

12. Omit inside iron centers and turn on wood centers and plaster brick arches.

13. Building cornice belt on tower with galvanized iron instead of stone.

Committee Room,
Austin, Texas, April 6, 1899.

*Hon. R. N. Stafford, President Pro Tem.
of the Senate.*

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 309, being a bill to be entitled "An Act to fix the time for holding courts in the Twenty-ninth Judicial District in the State of Texas, and to repeal all laws or parts of laws in conflict with this act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Acting Chairman.

BILLS AND RESOLUTIONS.

By Senator Patterson:

Senate Concurrent Resolution No. 19:

Whereas, The Twenty-sixth Legislature has now been in session too long for the good of the people, and

Whereas, The bounteous hand of our Heavenly Father has been gracious to us in sending the recent refreshing showers of rain, thereby producing an immediate demand for cotton choppers, and

Whereas, There is a disposition shown by some of our statesmen, who at \$2.00 per day are making \$1.50 more per day than they have ever before made, to prolong this session, and

Whereas, The present per diem is not equal to the per noctum; be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Twenty-sixth Legislature of the State of Texas do adjourn, sine die on the 20th day of April, 1899.

The resolution was read a second time.

Senator Turney moved to strike out all preceding the words 'be it resolved,' (the whereasas).

Senator Patterson moved to table the motion to strike out.

Lost.

Senator Turney's motion then prevailed.

The resolution (as amended) was adopted.

By Senator Wayland:

Senate Concurrent Resolution No. 20:

Whereas, There exists an unsettled claim of long standing in favor of the State of Texas against the government of the United States, and

Whereas, Said claim was acknowledged more than once to be just and reasonable, according to the following statement of facts, viz.:

In 1854, General Percifer F. Smith, commanding the United States frontier

troops in Texas, by authority of Mr. Jefferson Davis, the Secretary of War, made a requisition on the Governor of Texas for six companies of mounted volunteers, to be mustered into the service of the United States to assist in repelling Indian incursions. These troops, by the direction of General Smith, were to assemble at the city of Austin on November the 1st, 1854. Proclamation was issued by the Governor calling for six companies of mounted volunteers, which were duly organized and assembled at Austin on November the 1st. By some misunderstanding the troops were never mustered into the service of the United States until various dates in December following. When the troops were discharged, the United States government paid them only from the time they were actually mustered into the service of the United States instead of from November the 1st, the time fixed for their assembly at Austin by General Smith. In 1856 the State Legislature made an appropriation of \$61,000 to pay these companies from November 1st up to the time of mustering into service by the United States officers, expecting, as stated by the Governor, that the United States would refund the amount paid by the State. Subsequent to 1855, troops were called out by the Governor at various times to repel Indian aggressions, for the expense of which the State expected reimbursement by the United States authorities, and in due time filed a claim against the government for the amount expended by the State in protecting the border from Indian depredations.

The following shows what action has been taken on the claim by the State, by Congress and by the Secretary of War, giving the present status of the claim as reported by the Secretary of War to Congress:

1857—Resolution by the Texas Legislature requesting our representatives in Congress to urge the necessity for refunding to Texas the amounts spent in protecting the frontier since the 28th of February, 1855.

1858—Governor Runnells files with the Secretary of War a statement of the amounts appropriated by the State, \$184,544.51. A favorable report was made by the House Committee on Military Affairs January 28, 1859.

1859—Congress made an appropriation to refund to Texas the money advanced for payment of six companies of mounted volunteers called into service by General Smith by the authority of the Secretary of War, for the payment of which Texas had appropriated \$61,000.

1860—Congress extended the provis-

ions of the Act of 1859 so as to include all the money advanced by the State of Texas in payment of volunteers called out in defense of the frontier of that State since the 28th of February, 1855, and appropriated \$123,544.51. The Act provides "that all monies advanced by the State of Texas in payment of volunteers called out in defense of the frontier of that State since the 28th of February, 1855, shall be reimbursed, provided the Secretary of War shall be satisfied that there was a necessity for calling out these troops, or that they were called out by competent authority, and that the amount so claimed was actually paid by the said State, and that the amount provided for shall not exceed the sum of \$123,544.51."

This amount was specified because the appropriation of 1859 covered the sum of \$61,000, and these amounts taken together make the total of the statement filed with the Secretary of War by Governor Runnells as having been appropriated by Texas (\$184,544.51).

September, 1860, the Secretary of War called upon the State for a full statement of the account with the original vouchers, and in November decided, regarding the proviso of the Act of 1860, that he was "satisfied that there was a necessity for calling out the Texas volunteers mentioned therein, and that they were called out by competent authority," and the auditor was directed to audit the claim of Texas as soon as the proper vouchers were received.

February, 1861, the State Comptroller filed with the Secretary of War the vouchers called for. To meet objections, the vouchers were withdrawn for perfection, but before an adjustment of the claim could be made the war intervened and suspended all transactions in that direction.

1871—The Legislature passed an act authorizing the Governor by himself or his agent to receive from the United States government all the amounts due the State of Texas.

Governor Davis, through his agent, Mr. J. P. Newcomb, refiled with the Secretary of War the claim of the State with corrected vouchers, and requested of the Secretary of War payment of the amount appropriated by Congress in 1859 and 1860. The Secretary of War replied, "No claim can now be considered under Section 6, of the Act of June 21, 1860, as the amount thereby appropriated, viz.: \$123,544.51, was carried to the surplus fund under Section 10, of the Act of August 31, 1852; that the claim could not be favorably entertained until Congress acts further in regard to them."

The vouchers filed by Mr. Newcomb amounted to \$223,144.87, expended by Texas to September 1, 1859.

1872—The House of Representatives of Congress requested the Secretary of War to inform the House why the money appropriated by the Acts of Congress March, 1859, and June, 1860, had not been paid to the State of Texas as provided in said acts. The Secretary of War replies by inclosing a copy of his letter to Mr. Newcomb, mentioned in preceding paragraph, stating that the appropriation had been carried to the surplus fund.

April, 1872—In response to a request, the Secretary of War transmits to the House of Representatives of Congress a full statement of the action taken by that department on the Texas claims. After applying the most rigid rules in the examination of the vouchers, the amount reported "as should be allowed" was \$65,942.00. The balance of the amount claimed by the State was in part suspended for further information, in part rejected.

1875—Governor Coke called the attention of the Texas delegation in Congress to the amounts spent by the State for frontier protection, both before and subsequent to the war.

1880—The Secretary of War, in response to a request by the House of Representatives of Congress for information in relation to the claims of the several States against the government includes in his report the claim of Texas for expenditures prior to the war, and attaches the report on the Texas claims made by the Secretary of War in 1872, before mentioned. So far as appears no effort has been made since to collect the amount admitted to be due the State.

1898—The Auditor for the War Department states that there is no authority to settle the claim by reason of the falling back of the appropriation into the surplus fund.

Therefore, be it resolved by the Senate, the House of Representatives concurring, That the Governor of the State be and he is hereby requested to investigate the above facts, and if he finds them true, as stated, then to take such steps as may be necessary to collect the claim and have the amount so collected placed in the treasury of the State.

The resolution was read, and on motion of Senator Wayland, referred to the Committee on Federal Relations, and ordered printed in the Journal.

By Senator Morriss:

Senate Concurrent Resolution No. 21:

Whereas, The Texas division of the United Confederate Veterans will hold

their reunion in the city of Austin on the third and fourth days of May, 1899, and

Whereas, It is the purpose of the Daughters of the Confederacy to give a musical entertainment to the Confederates of Texas during their stay in the Capital City, and there being no suitable hall procurable for that purpose, be it

Resolved by the Senate, the House of Representatives concurring, that the hall of the Senate and House of Representatives be given for the use of the United Confederate Veterans on the night of the third or fourth of May, 1899, under the supervision of the Superintendent of Public Buildings and Grounds.

The resolution was read, and adopted.

By Senator Johnson:

Senate Concurrent Resolution No. 22:

Whereas, The Superintendent of Public Buildings and Grounds has executed leases to the Austin Dam and Suburban Railway Company and the Bachman Foundry and Machine Company of all that portion of the State's property located in Austin, Texas, and known as the "Old Court House Square," for a period of five years, ending June 1, 1902, at a yearly rental of \$300, and

Whereas, The said lessee desires to make extensive improvements on said property, and will do so in case they can secure an extension of the leased period as hereinafter provided, and

Whereas, It is to the interest of the State to extend said lease period in order to obtain a definite and lasting use of this property for a long term at the advance of \$100 per annum over the annual rental now paid and at the same time obtain the improvements of the property which is at present in a most deplorably dilapidated condition, and which is so situated as to be useful to those only who will utilize it for a foundry and machine shops and other works of this kind; now, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring, that the Superintendent of Public Buildings and Grounds be and he is hereby empowered and directed to cancel and amend the lease contract now in force between the State of Texas and the above named lessees upon their surrender by said lessees for this purpose and in their stead to execute and deliver to said Austin Dam and Suburban Railway Company and Bachman Foundry and Machine Company lease contract for the property herein named upon the terms herein stated for a period of twenty years from date.

The resolution was read, and referred

to the Committee on Public Buildings and Grounds.

By Senator James:

Senate bill No. 307, A bill to be entitled "An Act to diminish the criminal jurisdiction of the County Court of Titus county, and to conform the jurisdiction of the district court of said county to said change, and creating an emergency."

Read first time, and referred to the Committee on Judicial Districts.

By Senator Burns:

Senate bill No. 308, A bill to be entitled "An Act to regulate and prescribe the manner of bringing suit for taxes, and to protect the defendants in tax suits by prohibiting duplication of suits and preventing the increasing and unnecessary litigation and cost, and to repeal all laws and parts of laws, general and special, in conflict herewith, and to declare an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Sebastian:

Senate bill No. 309, A bill to be entitled "An Act to fix the time for holding courts in the Thirty-ninth Judicial District in the State of Texas, and to repeal all laws or parts of laws in conflict with this act."

Read first time, and referred to Committee on Judicial Districts.

By Senator Burns:

Senate bill No. 310, A bill to be entitled "An Act to protect the pipes, conduits, meters and other appliances and machinery of gas companies."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Yett:

Senate bill No. 311, A bill to be entitled "An Act to improve and beautify the Capitol grounds of the State of Texas, and to create a board for the purpose of adopting plans and specifications, and making the necessary contract or contracts for the purpose of carrying out the object of this act, and to make the necessary appropriation for such purpose, and to declare an emergency."

Read first time, and referred to the Committee on Public Buildings and Grounds.

By Senators Turney, Patterson and Yett:

Senate bill No. 312, A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company with its franchises and appurtenances, the railroad of the Fort Worth & New Orleans Railway Company with its franchises and appurtenances,

the Lancaster Tap Railroad with its franchises and appurtenances, the railroad of the Austin & Northwestern Railroad Company with its franchises and appurtenances, and the railroad of the Granite Mountain & Marble Falls City Railroad Company with its franchises and appurtenances, or either or any of such railroads, with their franchises and appurtenances, and to authorize the owners of each of said railroads, with its franchises and appurtenances, to sell the same, and to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways and franchises so purchased, as fixed or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of such properties and the operations thereof."

Read first time, and referred to Committee on Internal Improvements.

By Senator Grinnan:

Senate Joint Resolution No. 6, to amend Section 8, Article 10, of the Constitution of the State of Texas, relating to railroad corporations, and providing that all rights, privileges and franchises granted to the same may be altered, amended, revoked or repealed whenever the Legislature shall deem it necessary for the public good."

Read first time, and referred to the Committee on Constitutional Amendments.

Call' concluded.

BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

Senate bill No. 192, "An Act to provide and equip certain eleemosynary institutions of the State with an efficient and permanent system of fire escapes, authorizing the purchase of such fire escapes by the board of managers of the institutions herein named, with the approval of the Governor of the State, and making an appropriation therefor."

Senate bill No. 35, "An Act requiring the county commissioners court of any county in the State to submit propositions for the issuance of bonds to a vote of the qualified tax-payers of such county."

Senate bill No. 212, "An Act to authorize the Houston East & West Texas Railway Company to lease and to operate under lease the Houston & Shreveport Railroad, extending from the State boundary line at Logansport, Louisiana, thence through the parishes of De Soto and Caddo into the city of Shreveport, in said State."

Senate bill No. 20, "An Act to set apart and appropriate to the permanent school fund of the State of Texas all of the lands heretofore or hereafter recovered from railway companies or other persons, firms or corporations, and to provide for the disposition of the same."

HOUSE MESSAGE.

The following message was received from the House:

Hall of the House of Representatives,
Austin, Texas, April 5, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

House bill No. 300, A bill to be entitled "An Act to quiet titles to lands located and surveyed by virtue of land certificates granted under the Act of the Legislature of the State of Texas, entitled 'An Act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or the Confederate States a land certificates for twelve hundred and eighty acres of land,' approved April 9, 1881, and to validate such location and surveys."

Also House bill No. 712, A bill to be entitled "An Act to amend Chapter 5, of Title CII, of the Revised Civil Statutes of 1895, so as to place San Patricio county under the provisions of said chapter, relating to the mode of preventing certain animals from running at large in counties and subdivisions."

Also House bill No. 402, A bill to be entitled "An Act granting to the city of Austin a block of land within said city for public free school purposes."

Also House bill No. 401, A bill to be entitled "An Act to amend Articles 3094 and 3095, and to add Article 3095a, Chapter 3, of Title LVIII, of the Revised Statutes of the State of Texas, making any person or persons, company, co-partnership or corporation who shall make or cause to be made, write or cause to be written, either for himself or for another, any contract or policy of insurance in any insurance company not authorized to do business in this State liable to the State for the same taxes and penalties, general and special, State, county and municipal, as insurance companies that have been legally qualified and admitted to do business in this State by agents or otherwise, and prescribing method of collecting such tax, and fixing penalty for non-compliance with terms and conditions of this act."

Also House bill No. 323, A bill to be

entitled "An Act to create and establish an industrial institute and college in the State of Texas for the education of white girls in the arts and sciences."

Also House bill No. 746, A bill to be entitled "An Act to provide a more efficient system for working the public roads of Lamar county, regulating the fees of officers where convicts serve their time by labor on such public roads, and to repeal all laws in conflict herewith."

Also House bill No. 130, A bill to be entitled "An Act to amend Article 2439, of the Revised Civil Statutes of 1895 of the State of Texas, relating to the fees and taxes to be collected by the Secretary of State."

Also Senate Concurrent Resolution No. 17.

Also Senate bill No. 245, A bill to be entitled "An Act to repeal an act to incorporate the town of Jacksonville, in Cherokee county, Texas, passed at the session of the Thirteenth Legislature."

Also House bill No. 3, A bill to be entitled "An Act to provide for the redemption of real estate sold for debt."

Also House bill No. 742, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Coke county, and to conform the jurisdiction of the district court of said county to such change."

Also House bill No. 740, A bill to be entitled "An Act to amend Sections 2 and 5, of an Act passed by the Twenty-sixth Legislature of the State of Texas, approved March 6, 1899, and entitled 'An Act to restore and confer upon the County Court of Bexar county the civil and criminal jurisdiction heretofore belonging to the said court under the Constitution and General Laws of the State, and to conform the jurisdiction of the district court of said county to said change, and to repeal all laws in conflict with this act, and declaring an emergency.'"

Also House bill No. 398, A bill to be entitled "An Act to amend Sections 17, 27, 98 and 116, of an act incorporating the city of Sherman, known as 'An Act to incorporate the city of Sherman, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs,' passed by the Twenty-fourth Legislature, being Chapter 6, of the Special Acts of the said Legislature, and to add Sections 96a, 116a, 116b, 116c, 116d, 116e, 179a and 179b thereto."

Also Senate bill No. 280, A bill to be entitled "An Act to change and fix the terms of holding courts in the Fifty-fourth Judicial District, and to amend an Act passed at the Regular Session of

the Twenty-sixth Legislature of Texas, being an act entitled 'An Act to change the times of holding courts in the Fifty-fourth Judicial District,' known as House bill No. 167 during its passage."

Also Senate bill No. 235, A bill to be entitled "An Act to amend Sections 7 and 137, 138, 139, 140, 141 and 142, of an act entitled 'An Act to grant a new charter to the city of El Paso,' approved March 2, 1889, and the acts amendatory thereof, relating to streets, alleys, sidewalks and other public improvements, and the levy and collection of a tax to pay therefor, and fixing the time of holding elections."

Also Senate bill No. 180, A bill to be entitled "An Act to create a more efficient road system for Wharton county and Lavaca county, in the State of Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, defining their powers and duties as such, and providing for the appointment of road overseers and their duties, and for the working of county convicts on the public roads of such counties, and providing for the payment of officers' fees, and rewards and penalties for said convicts, and to provide for the summoning of teams for road work, and for an allowance for time of road service for the same, and fixing penalties for the violation of this act."

Also House bill No. 342, A bill to be entitled "An Act to incorporate the city of Dallas, and to grant it a new charter."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN SENATE.

The above reported House bills were read first time, and referred as follows:

House bill No. 402 to Committee on Public Lands and Land Office.

House bill No. 740 to Judiciary Committee No. 2.

House bill No. 742 to Judiciary Committee No. 1.

House bill No. 323 to Committee on Education.

House bill No. 746 to Committee on Roads, Bridges and Ferries.

House bill No. 401 to Committee on Insurance, Statistics and History.

House bill No. 130 to Committee on State Affairs.

House bill No. 712 to Judiciary Committee No. 2.

House bill No. 300 to Committee on Public Lands and Land Office.

House bill No. 398 to Committee on Towns and City Corporations.

House bill No. 342 to Committee on Towns and City Corporations.

House bill No. 3 to Judiciary Committee No. 1.

Senator Odell called up

Senate bill No. 223, A bill to be entitled "An Act to amend Article 4445, of the Revised Civil Statutes of the State of Texas, and to authorize railroad corporations to acquire new right of way for the purpose of shortening the line or reducing the grades," which had passed the House with amendments, and moved that the Senate concur in said amendments."

Concurred.

On motion of Senator Johnson, the regular order of business was suspended to take up, on second reading,

House bill No. 531, A bill to be entitled "An Act to create a more efficient road system for Navarro county, Texas, and making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for their compensation as such road commissioners, and providing for the working of county convicts upon the public roads of said county, and providing for commutation of time for good behavior and good service, and providing for a reward to be offered for the recapture of an escaped county convict, and taxing said reward and all actual costs of capture and delivery of said convict against said convict, and providing for a penalty for the escape of a county convict, and providing for the trimming of hedges by the owners of land, and providing a penalty for failure to trim said hedges, and providing the amount of compensation in road time to be allowed by overseers to road hands for teams, plows, scrapers and wagons, and providing for the condemnation of land for public road purposes, and providing for the working of delinquent poll tax payers on the public roads and relieving them from the payment of said work by the payment of the sum of three dollars, and providing further, making this law cumulative of the general laws, and in case of conflict this act to govern as to Navarro county, Texas."

The bill was read a second time, and passed to a third reading.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—22.

Atlee.	Greer.
Burns.	Grinnan.
Dibrell.	James.
Gough.	Johnson.

Kerr.
Linn.
Lloyd.
Miller.
Morris.
Odell.
Patterson.

Ross.
Sebastian.
Stafford.
Stone.
Turney.
Wayland.
Yett.

Absent.

Davidson.
Goss.
Hanger.
Lewis.
McGee.

Neal.
Potter.
Terrell.
Yantis.

The bill was read a third time, and passed by the following vote:

Yeas—22.

Atlee.
Burns.
Dibrell.
Gough.
Greer.
Grinnan.
James.
Johnson.
Kerr.
Linn.
Lloyd.

Miller.
Morris.
Odell.
Patterson.
Ross.
Sebastian.
Stafford.
Stone.
Turney.
Wayland.
Yett.

Absent.

Davidson.
Goss.
Hanger.
Lewis.
McGee.

Neal.
Potter.
Terrell.
Yantis.

On motion of Senator Patterson, the regular order of business was suspended to take up, on second reading,

House bill No. 595, A bill to be entitled "An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said counties, viz.: Cooke, Bell, Ellis, Montague, Wharton, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Bexar, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Dallas, Austin and Brazos."

The bill was read a second time.

By Senator Patterson:

"Amend by adding to Section 1 the following: 'Provided, that when there is an application for an election to include an entire county there shall be not less than twelve freeholders from each justice precinct of said county as signers to the petition for such election.'"

Adopted.

By Senator Linn:

"Amend by striking out the word 'Wharton' in line 17, and in line 22, of page 1 of the bill."

Adopted.

By Senator Dibrell:

"Amend the bill in line 24, after the word 'Grayson' by inserting the word 'Guadalupe.'"

Adopted.

Pending further action,

On motion of Senator Gough further action was postponed until tomorrow after the Executive Session.

The Chair laid before the Senate, on third reading,

House bill No. 308, A bill to be entitled "An Act to amend Article 1731, of the Revised Civil Statutes of the State of Texas."

The bill was read a third time, and passed.

RE-REFERRED.

On motion of Senator Yett, House bill No. 402 (see House message) was withdrawn from Committee on Public Lands and Land Office, and referred to the Committee on Public Buildings and Grounds.

The Chair laid before the Senate, on third reading,

House bill No. 350, A bill to be entitled "An Act to require railway companies to receive and transport all freights coming to them from steamships, steamboats and other water craft and vessels, without discrimination for or against any other steamship line, steamboat line, owner or company, or the owner or owners of any other water craft or vessel."

The bill was read a third time, and passed.

The Chair laid before the Senate, on second reading,

House bill No. 70, A bill to be entitled "An Act to require the owner, owners or lessee of coal mines within this State to provide for the safety and health of their employes, and requiring them to construct sufficient means of egress and ingress, and providing a penalty for the failure to so do," action being on passage to a third reading.

Pending action,

Senator Sebastian moved to postpone further consideration of the bill until Wednesday next.

Senator Dibrell moved to postpone consideration of the bill indefinitely.

Indefinitely postponed.

Senator Sebastian entered a motion to reconsider the vote by which the bill was indefinitely postponed.

Senator Dibrell called up the motion to reconsider, and moved to lay same on the table.

The motion to table prevailed by the following vote:

Yeas—14.

Burns.	Miller.
Dibrell.	Morriss.
Gough.	Patterson.
James.	Ross.
Johnson.	Stafford.
Kerr.	Turney.
Linn.	Yett.

Nays—8.

Atlee.	Odell.
Greer.	Sebastian.
Grinnan.	Stone.
Lloyd.	Wayland.

Absent.

Davidson.	Neal.
Goss.	Potter.
Hanger.	Terrell.
Lewis.	Yantis.
McGee.	

(Senator Sebastian in the chair.)

The Chair laid before the Senate, on second reading,

Substitute House bill Nos. 275 and 313, A bill to be entitled "An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education, in the investment of the permanent free school fund, and adding thereto Article 3891a and Article 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is paid for bonds the Board of Education shall refund the same."

The bill was read a second time, and passed to a third reading.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—20.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Odell.
Greer.	Ross.
Grinnan.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yett.

Nays—1.

Gough.

Absent.

Davidson.	Lewis.
Goss.	McGee.
Hanger.	Neal.

Patterson. Terrell.
Potter. Yantis.

Senator Miller entered a motion to reconsider the vote by which the constitutional rule was suspended and by which the bill was passed to a third reading.

The Chair laid before the Senate, on second reading,

House bill No. 459, A bill to be entitled "An Act to amend Articles 308 and 309, Chapter 4, Title V, of the Code of Criminal Procedure, Revised Statutes of 1895."

The bill was read a second time, and passed to a third reading by the following vote:

Yeas—14.

Burns.	Morriss.
Greer.	Odell.
Grinnan.	Patterson.
James.	Ross.
Johnson.	Sebastian.
Kerr.	Wayland.
Lloyd.	Yett.

Nays—8.

Atlee.	Miller.
Dibrell.	Stafford.
Gough.	Stone.
Linn.	Turney.

Absent.

Davidson.	Neal.
Goss.	Potter.
Hanger.	Terrell.
Lewis.	Yantis.
McGee.	

The Chair laid before the Senate, on second reading,

House bill No. 743, A bill to be entitled "An Act to name the several counties composing the Fifty-first and Thirty-third Judicial Districts, and to fix the times for holding the district courts therein, and to attach the unorganized county of Schleicher to the county of Menard until its organization, and to repeal all laws and parts of laws in conflict herewith."

The bill was read a second time, and

On motion of Senator Turney, further consideration was postponed until tomorrow, 11 a. m.

RESOLUTION.

The following was sent up by Senator Stafford:

Dallas, Texas, April 4, 1899.

Whereas, Bills are now pending before the Legislature of Texas, authorizing the consolidation of the Missouri, Kansas & Texas Railroad Company of Texas and the Sherman, Shreveport & Southern Railroad Company, and also of the St. Louis & Southwestern Railway Company

with the Tyler & Southeastern Railway Company, which if enacted into law would, in our judgment, greatly benefit the material interest of Texas; and

Whereas, Said bills have been strongly recommended by the Chairman of the Texas Railroad Commission, and have been passed by the Senate of Texas; now, therefore, be it

Resolved by the Texas Miller's Association in convention assembled, representing ten thousand barrels daily capacity, that we heartily endorse the action taken by Hon. John H. Reagan, and the Senate of Texas, on this question and respectfully request the House of Representatives to pass the bills above mentioned over the veto of Governor Sayers.

Approved, and unanimously adopted.

S. B. KOHNLE,	J. N. RAYZOR,
Secretary.	President.

The above was read, and, on motion of Senator Dibrell, ordered printed in the Journal.

On motion of Senator Greer the regular order of business was suspended to take up, on second reading,

Senate bill No. 306, A bill to be entitled "An Act to authorize the Gulf, Beaumont & Kansas City Railway Company to purchase, own and operate the railroad, including all the property rights, franchises and appurtenances, of the Gulf, Beaumont & Great Northern Railway Company now existing or that may hereafter be built or acquired by the Gulf, Beaumont & Great Northern Railway Company; and to authorize the Gulf, Beaumont & Kansas City Railway Company, in the name of the Gulf, Beaumont & Great Northern Railway Company, to issue bonds and to secure the same by mortgage upon the railway property, property rights and franchises of the Gulf, Beaumont & Great Northern Railway Company, under orders of the Railroad Commission of Texas, and to enable the said corporation, the Gulf, Beaumont & Great Northern Railway Company, to construct this proposed line of railway as provided in its charter, and for said purpose to raise money through the issuance of stock and bonds."

The bill was read a second time.

By Senator Greer:

"Amend the caption by adding thereto, page 1, line 20, after the word 'bonds' the following: 'Under the direction of the Railroad Commission.'"

Adopted.

By Senator Greer:

"Amend page 1, line 27, by striking

out '1899' and inserting in lieu thereof the following: '1898.'"

Adopted.

By Senator Greer:

"Amend page 2, line 10, by placing a dash after the word 'bonds,' also line 14, page 2, by placing a dash after the word 'company,' and further amend on page 2, line 11, by striking out the words 'secure same' and insert in lieu thereof the words 'be secured.'"

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Greer the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—18.

Atlee.	Odell.
Burns.	Patterson.
Dibrell.	Ross.
Gough.	Sebastian.
Greer.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Miller.	Wayland.
Morriss.	Yett.

Nays—3.

Grinnan.	Lloyd.
James.	

Absent.

Davidson.	McGee.
Goss.	Neal.
Hanger.	Potter.
Lewis.	Terrell.
Linn.	Yantis.

The bill was read a third time, and passed by the following vote:

Yeas—17.

Atlee.	Odell.
Burns.	Patterson.
Dibrell.	Ross.
Gough.	Stafford.
Greer.	Stone.
Johnson.	Turney.
Kerr.	Wayland.
Miller.	Yett.
Morriss.	

Nays—4.

Grinnan.	Lloyd.
James.	Sebastian.

Absent.

Davidson.	McGee.
Goss.	Neal.
Hanger.	Potter.
Lewis.	Terrell.
Linn.	Yantis.

Senator Greer moved to reconsider the

vote by which the bill was passed, and to lay that motion on the table.

Tabled.

The Chair then laid before the Senate, on second reading,

Senate bill No. 174, A bill to be entitled "An Act to define unlawful intercourse, and providing a penalty therefor," action being on Senator Goss' motion to substitute the favorable minority committee report for the adverse majority report (see Journal of March 27th).

The motion to substitute failed by the following vote:

Yeas—2.

Gough.	Odell.
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Nays—19.

Atlee.	Morriss.
Burns.	Patterson.
Dibrell.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Stone.
Johnson.	Turney.
Kerr.	Wayland.
Lloyd.	Yett.
Miller.	

Absent.

Davidson.	McGee.
Goss.	Neal.
Hanger.	Potter.
Lewis.	Terrell.
Linn.	Yantis.

(*This killed the bill.*)

The Chair laid before the Senate, on third reading,

Senate bill No. 83, A bill to be entitled "An Act to amend Articles 5157 and 5159, of the Revised Civil Statutes of the State of Texas, relating to the bonds of tax collectors."

The bill was read a third time, and pending action on final passage,

On motion of Senator Dibrell, the special order of business was suspended to take up, on second reading,

Senate bill No. 106, A bill to be entitled "An Act to validate acknowledgments to all instruments constituting links in the chain of title, or affecting the title to any lands in the State of Texas, to quiet titles to the same, and to repeal all laws and parts of laws in conflict with the provisions of this act."

(President Pro Tem. Stafford in the chair.)

The bill was read a second time, with committee amendment, to wit:

"Amend by substituting 'ten' in lieu of 'five' wherever it occurs in the bill."

Committee amendment adopted.

By Senator Burns:

"Amend by adding to Section 1 the following: 'Provided, that the provis-

ions of this act shall not apply to pending litigation.'"

Adopted.

By Senator Dibrell:

"Amend the bill, in line 19, by substituting 'within' for the word 'with.'"

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—22.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Ross.
Grinnan.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yett.

Absent.

Davidson.	Neal.
Goss.	Potter.
Hanger.	Terrell.
Lewis.	Yantis.
McGee.	

The bill was read a third time.

By Senator Greer:

"Amend page 1, line 1, by striking out the word 'is' and insert in lieu thereof the word 'if.'"

Adopted by the following vote:

Yeas—21.

Atlee.	Morriss.
Burns.	Odell.
Dibrell.	Patterson.
Greer.	Ross.
Grinnan.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yett.
Miller.	

Absent.

Davidson.	McGee.
Goss.	Neal.
Gough.	Potter.
Hanger.	Terrell.
Lewis.	Yantis.

The bill was then passed by the following vote:

Yeas—21.

Atlee.	Greer.
Burns.	Grinnan.
Dibrell.	James.

Johnson.
Kerr.
Linn.
Lloyd.
Miller.
Morriss.
Odell.
Patterson.

Ross.
Sebastian.
Stafford.
Stone.
Turney.
Wayland.
Yett.

Absent.

Davidson.	McGee.
Goss.	Neal.
Gough.	Potter.
Hanger.	Terrell.
Lewis.	Yantis.

EXCUSED.

On motion of Senator Miller, Senator McGee was excused indefinitely on account of sickness.

On motion of Senator Kerr, the Senate adjourned until 10 a. m. tomorrow.

SIXTY-SECOND DAY.

Senate Chamber,

Austin, Texas, Friday, April 7, 1899.

Senate met pursuant to adjournment.

President Pro Tem. Stafford in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yantis.
Linn.	Yett.

Absent.

Lewis.	Potter.
McGee.	Terrell.
Neal.	

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator James, the same was dispensed with.

INVITATION.

STATE INSTITUTION FOR THE BLIND.

Austin, Texas, April 7, 1899.

Lieutenant-Governor Jas. N. Browning,
President of the Senate.

DEAR SIR: The Institute for the Blind